

ACKNOWLEDGEMENT/WAIVER OF ARTICLE 31(B), UCMJ, RIGHTS

(b) (6)

(b) (6)

(b) (6)

(b) (6)(b) (6)

Rate

Name

SSN

1. I acknowledge that I have been advised that:

(b) (6)

(b) (6) I am suspected of committing the following offenses:

(b) (6)

(b) (6) Violation of the UCMJ, Article 117 – Provoking speeches or gestures.

(b) (6)

(b) (6) I have the right to remain silent.

(b) (6)

(b) (6) Any statement I do make may be used as evidence against me in a trial by court-martial.

(b) (6)

(b) (6) I have the right to consult with lawyer counsel prior to any questioning. This lawyer
(b) (6) counsel may be civilian lawyer retained by me at my own expense, a military lawyer appointed
(b) (6) at as my counsel without cost to me, or both.

(b) (6)

(b) (6) I have the right to have such retained lawyer and/or appointed military lawyer present
(b) (6) during this interview.

(b) (6)

(b) (6) I may terminate this interview at any time, for any reason.

(b) (6)

(b) (6) Understanding my rights as related to me and set forth above,

(b) (6)

(b) (6) I desire to remain silent at this time.

(b) (6)

(b) (6) I desire to make a statement. I do not desire to remain silent, consult with a retained or
(b) (6) appointed lawyer, or have a lawyer present at this time. I make this decision freely and
(b) (6) voluntarily. No threats or promises have been made to me.

(b) (6)(b) (6)

Time: 1134 Date: 04 APR 19

WITNESSED:

(b) (6)

Printed name: Rank/Rate

5800
27 March 2019

From: (b) (6)(b) (6)(b) (6)(b) (6) USN
To: Commanding Officer, Recruit Training Command, Great Lakes, IL
Subj: COMMAND INVESTIGATION INTO ALLEGATIONS THAT (b) (6)(b) (6)
(b) (6) USN, USED DEROGATORY LANGUAGE IN AN INTERACTION
WITH RECRUITS
Ref: (a) JAGMAN (2012)
(b) R.C.M. 303
Encl: (a) Appointing Order, dtd 28 Feb 19
(b) Email from (b) (6)(b) (6)(b) (6)(b) (6) to (b) (6)(b) (6) dtd 4 Mar 19
(c) (b) (6)(b) (6) Acknowledgment and Waiver of Rights, dtd 6 Mar 19
(d) (b) (6) Privacy Act Statement, dtd 6 Mar 19
(e) (b) (6)(b) (6) Written Statement, dtd 6 Mar 19
(f) (b) (6) Written Statement, dtd 6 Mar 19
(g) (b) (6)(b) (6)(b) (6)(b) (6) Written Statement, dtd 13 Mar 19
(h) (b) (6)(b) (6)(b) (6)(b) (6) Written Statement, dtd 19 Mar 19
(i) (b) (6)(b) (6)(b) (6)(b) (6) Written Statement, dtd 19 Mar 19
(j) Email from (b) (6) to LT Edwards, 22 Mar 19
(k) Written Statement of (b) (6)(b) (6)(b) (6) dtd 22 Mar 19

Preliminary Statement

This investigative report details the findings of fact, opinions, and recommendations concerning the case of (b) (6)(b) (6) (b) (6) Recruit Division Commander stationed at Recruit Training Command Great Lakes, and the incident that took place in Ship 11, USS Kearsarge, on 17 February 2019. On Sunday, 17 February 2019 (b) (6)(b) (6) approached (b) (6) a recruit in a division that was not (b) (6) and after ascertaining by means of questioning that (b) (6) was a native Mandarin speaker, asked (b) (6) to translate an inappropriate phrase that roughly translates to "Fuck your mom." (b) (6) is a native Mandarin speaker and translated the phrase, with confirmation of fellow Mandarin speaker, (b) (6)(b) (6). In in Mandarin, when spoken to a female in a manner and tone used by (b) (6)(b) (6) it is taken as a statement of fact that the speaker is indeed already having intercourse with one's mother, and not a hypothetical situation. This incident was subsequently reported through the Chain of Command and to CMEC for disposition.

Findings of Fact

1. On Sunday, 17 January 2019
2. (b) (6)(b) (6) walked into the compartment housing Division 166 in Ship 11, USS Kearsarge, during holiday routine. [Encls (e), (f), (k)]
3. (b) (6)(b) (6) approached (b) (6) and inquired as to whether or not (b) (6) was Chinese. [Encls (e), (f), (k)]
4. Upon hearing that (b) (6) was in fact Chinese, (b) (6)(b) (6) then asked (b) (6) to translate a phrase in Mandarin. This phrase was "Chao ni ma." [Encls (e), (f), (g), (i)]
5. Before (b) (6) could respond with the translation, BM2 (b) (6) then repeatedly instructed (b) (6) not to translate the phrase out loud. [Encls (b), (e), (f)]
6. (b) (6)(b) (6) proceeded to leave the compartment. [Encls (b), (e), (f)]
7. (b) (6) overheard the conversation. [Encls (b), (f), (g), (i)]
8. (b) (6) and (b) (6) reported the conversation to (b) (6)(b) (6) [Encls (b), (f), (g)]
9. (b) (6)(b) (6)(b) (6) confronted (b) (6)(b) (6) in (b) (6) compartment and requested an apology for (b) (6) recruits. [Encls (e), (g)]
10. (b) (6)(b) (6) returned to the compartment and apologized to the aforementioned recruits. [Encls (e), (f), (h)]
11. (b) (6)(b) (6) informed (b) (6) lead, (b) (6)(b) (6) [Encls (b), (g), (h), (i)]
12. (b) (6)(b) (6) then informed the stand-in Ship's LCPO, (b) (6)(b) (6)(b) (6) [Encls (h), (i)]
13. (b) (6)(b) (6) counseled (b) (6)(b) (6) and informed the Ship's LCPO, (b) (6) (b) (6) [Encl (h)]
14. On 28 February 2019 the investigation for this incident was launched. [Encl (a)]
15. Upon conducting interviews, there was found to be a pattern of misconduct towards women from (b) (6)(b) (6) while stationed onboard Recruit Training Command in (b) (6) role as Recruit Division Commander. [Encl (g), (h), (i), (k)]
16. In their written statements, both (b) (6) and (b) (6)(b) (6) shared that (b) (6)(b) (6) said "Chao ni ma," which both translated into "Fuck your mom." (b) (6) is a native Mandarin speaker, and (b) (6)(b) (6) is a Mandarin linguist for the United States Navy.

Opinions

1. (b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)
(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)
(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)
(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)
2. (b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)
(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)
(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)
3. (b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)
(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)
(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)

Recommendations

(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)
(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)
(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)
(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)
(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)(b) (6), (b) (5)

(b) (6)

(b) (6) USN



DEPARTMENT OF THE NAVY
RECRUIT TRAINING COMMAND
3355 ILLINOIS STREET
GREAT LAKES, IL 60088-3127

IN REPLY REFER TO
5800
Ser LGL/E1291
28 Feb 19

From: Commanding Officer, Recruit Training Command
To: (b) (6)(b) (6)(b) (6) USN

Subj: COMMAND INVESTIGATION INTO ALLEGATIONS THAT (b) (6)(b) (6)
(b) (6) USN USED DEROGATORY LANGUAGE IN AN INTERACTION WITH
RECRUITS

Ref: (a) JAGMAN (2012)
(b) R.C.M. 303

1. This appoints you, per Chapter II of reference (a) and reference (b) to conduct a command investigation into allegations that (b) (6)(b) (6) made derogatory comments in the Mandarin dialect to recruits of Chinese descent.
2. Investigate this incident and recommend appropriate investigative, administrative, or disciplinary action. Report your summary of findings and recommendations to me in letter form by 18 March 2019, unless an extension of time is granted. If you have not previously done so, read reference (a) in its entirety before beginning your investigation.
3. You may seek legal advice from the Recruit Training Command Staff Judge Advocate, (b) (6)(b) (6)(b) (6) during the course of your investigation. He may be reached at 847-688-44949 (b) (6) or by email at (b) (6)(b) (6)(b) (6)(b) (6)



E. M. THORS

Copy to:
RTC Legal

(b) (6)(b) (6)(b) (6) USN (USA)

From: (b) (6)(b) (6)(b) (6) USN (US)
Sent: Monday, March 4, 2019 2:12 PM
To: (b) (6)(b) (6) USN (USA)
Cc: (b) (6)(b) (6)(b) (6) USN COMTHIRDFLT (USA); (b) (6)(b) (6)(b) (6) USN (US); (b) (6)(b) (6)(b) (6) USN (USA)
Subject: FW: (b) (6)(b) (6)
Signed By: (b) (6)(b) (6)(b) (6)(b) (6)

(b) (6)

Good afternoon Sir. Below is the email that I sent to (b) (6) regarding (b) (6)(b) (6). Please let me know if I need to provide more info. Thank you.

Very Respectfully,

(b) (6)

-----Original Message-----

From: (b) (6)(b) (6)(b) (6) RTC
Sent: Thursday, February 21, 2019 8:08 PM
To: (b) (6)(b) (6)(b) (6) NLSC, RLSC Midwest <(b) (6)(b) (6)(b) (6)(b) (6)>
Cc: (b) (6)(b) (6)(b) (6)(b) (6) RTC <(b) (6)(b) (6)(b) (6)(b) (6)>
Subject: (b) (6)(b) (6)

(b) (6)

Good evening. Below is a brief summary of the incident involving (b) (6)(b) (6)

On 17 February during holiday routine, (b) (6)(b) (6) stopped by Compartment B-1 after (b) (6) OOD midwatch. According to (b) (6)(b) (6) (b) (6) was in the compartment to see if (b) (6)(b) (6) needed assistance. As (b) (6) was walking around the compartment, (b) (6) heard (b) (6)(b) (6) call (b) (6) (b) (6) then asked, "(b) (6) Are you Chinese?" (b) (6) answered, "Yes, Petty Officer." (b) (6)(b) (6) then proceeded to ask if (b) (6) knows what a certain phrase in Mandarin mean and then uttered in Mandarin the phrase what (b) (6) thought meant "Fuck you". Once (b) (6) stated the phrase, (b) (6) immediately told (b) (6) (b) (6) "No, don't say it".

(b) (6) and (b) (6)(b) (6) then informed to (b) (6)(b) (6) about the conversation that they had with (b) (6)(b) (6) and both expressed that the conversation was inappropriate in this training environment.

(b) (6)(b) (6) then informed (b) (6)(b) (6)(b) (6) Lead RDC) about the incident.

Please let me know if there's anything else that we need to provide. (b) (6) is still will Div 166 and (b) (6) has been ASMO to Seps yesterday due to medical reasons.

Very Respectfully,

(b) (6)
(b) (6)

DEPARTMENT OF THE NAVY
MILITARY SUSPECT'S ACKNOWLEDGEMENT AND WAIVER OF RIGHTS

Place: BUDG 7117, SHAP 07
RTC, GREAT LAKES, IL

I, (b) (6)(b) (6)(b) (6)
have been advised by (b) (6)(b) (6)(b) (6)
that I am suspected of ARTICLE 92

I have also been advised that:

- (1) I have the right to remain silent and make no statement at all;
- (2) Any statement I do make can be used against me in a trial by court-martial or other judicial or administrative Proceeding;
- (3) I have the right to consult with a lawyer prior to any questioning. This lawyer may be a civilian lawyer retained by me at no cost to the United States, a military lawyer appointed to act as my counsel at no cost to me, or both;
- (4) I have the right to have my retained civilian lawyer and/or appointed military lawyer present during this interview; and
- (5) I may terminate this interview at any time, for any reason.

I understand my rights as related to me and as set for above. With that understanding, I have decided that I do not desire to remain silent, consult with a retained or appointed lawyer, or have a lawyer present at this time. I make this decision freely and voluntarily. No threats or promises have been made to me.

Signature

(b) (6)

Date & Time:

06 MAR 19 1000

Witness

(b) (6)

Date & Time

06 MAR 19 1000

At this time, I, (b) (6)(b) (6)(b) (6)(b) (6)
desire to make the (b) (6)(b) (6)(b) (6)(b) (6) statement made with an understanding of my rights as set forth above. It is made with no treats or promises having been extended to me.

PRIVACY ACT STATEMENT

Name: (b) (6)(b) (6)(b) (6) Rank/Rate: (b) (6)
Activity: _____ Unit: RTC GREAT LAKES
Telephone Number: (b) (6)(b) (6)

Today, 06 MAR, 20 19, I acknowledge that I have received the following advisement under the guidelines of the Privacy Act.

This statement is provided in compliance with the provisions of the Privacy Act of 1974 (Public Law 93-579) which requires that Federal agencies must inform individuals who are requested to furnish personal information about themselves as to certain facts regarding the information requested below.

1. **AUTHORITY:** 5 U.S.C. 301; 10 U.S.C. 972, 1201-1221, 2733, 2734-2734b., 2737, 5013, 5031-5036, 5131-5150, 5947, 6148, 7205, 7622-7623; 28 U.S.C. 1346, 2671-2680; 31 U.S.C. 240-243, 3521-3531, 3701-3702, 3717-3718; 37 U.S.C. 802; 38 U.S.C. 105; 42 U.S.C. 2651-2653; 44 U.S.C. 3101; 49 U.S.C. 1901.

2. **PRINCIPAL PURPOSES:** The information which will be solicited is intended principally and may be used for the following purposes:

a. Determinations on the status of personnel regarding entitlements to pay during disability, disability benefits, severance pay, retirement pay, increases of pay for longevity, survivor's benefits, involuntary extensions of enlistments, date of expiration of active obligated service, and accrual of annual leave.

b. Determinations on disciplinary or punitive action.

c. Determinations on liability of personnel for losses of, or damage to, public funds or property.

d. Evaluation of petitions, grievances, and complaints.

e. Adjudication, pursuit, or defense of claims for or against the Government or among private parties.

f. Other determinations, as required, in the course of naval administration.

g. Public information releases.

h. Evaluation of procedures, operations, material, and designs by the Navy and contractors, with a view to improving the efficiency and safety of the Department of the Navy.

3. ROUTINE USES: In addition to being used within the Department of the Navy and Defense for the purpose(s) indicated above, records of investigations are routinely furnished, as appropriate, to the Department of Veterans Affairs for use in determinations concerning entitlement to veterans' and survivors' benefits; to Servicemen's Group Life Insurance administrators for determinations concerning payment of life insurance proceeds; to the U.S. General Accounting Office for purposes of determinations concerning relief to accountable personnel from liability for losses of public funds and related fiscal matters; and to the Department of Justice for use in litigation involving the Government. Additionally, such investigations are sometimes furnished to agencies of the Department of Justice and to State or local law enforcement and court authorities for use in connection with civilian criminal and civil court proceedings. The records of investigations are provided to agents and authorized representatives of persons involved in the incident, for use in legal or administrative matters. The records are provided to contractors for use in connection with settlements, adjudication or defense of claims by or against the Government, and for use in design and evaluation of products, services, and systems. The records are also furnished to agencies of the Federal, State, or local law enforcement authorities and regulatory authorities, for use in connection with civilian and military criminal, civil, administrative, and regulatory proceedings and actions.

4. MANDATORY/VOLUNTARY DISCLOSURE CONSEQUENCES OF REFUSAL TO DISCLOSE:

a. Where an individual is a subject of an investigation for purpose 2a or 2b, above: Disclosure is voluntary. You are advised that you are initially presumed to be entitled to have the [personnel determination] [disciplinary determinations] in paragraph 2, above, resolved in your favor, but the final determination will be based on all the evidence in the investigative record. If you do not provide the requested information, you will be entitled to a favorable determination if the record does not contain sufficient evidence to overcome the presumption in your favor, however, your election not to provide the requested information possibly could prevent the

investigation from obtaining evidence which may be needed to support a favorable determination.

b. Where an individual is a subject of an investigation for purpose 2c, above: Disclosure is voluntary, and if you do not provide the requested information, any determination as to whether you should be held pecuniarily liable for repayment of the Government's loss would be based on the other evidence in the investigative record, which possibly might not support a favorable determination.

c. Where the individual is a claimant or potential claimant in an investigation for purpose 2c, above: Disclosure is voluntary, but refusal to disclose the requested information could prevent the investigation from obtaining sufficient information substantiate any claim which you have made or may make against the Government as a result of the incident under investigation.

d. Where the individual was treated at Government expense for injuries cause by third parties in connection with a matter being investigated for purpose 2e, above: Disclosure is voluntary, but refusal to disclose the requested information could result in a requirement for you to assign to the Government your medical care claims against third parties in connection with the incident, or authorize withholding of the records of your treatment in naval medical facilities.

e. In any other case: Disclosure is voluntary, and if you do not provide the requested information, and determinations or evaluations made as a result of the investigation will be made on the basis of the evidence that is contained in the investigative record.

(b) (6)(b) (6)
(signature and date)

VOLUNTARY STATEMENT

1. PLACE

HOG 7117, RTC GREAT LAKES IL

2. DATE

06 MAR 19

(b) (6) I, (b) (6)(b) (6), make the following free and voluntary statement to (b) (6)(b) (6)(b) (6)(b) (6), whom I know to be COMMAN INVESTIGATING OFFICER.

I make this statement of my own free will and without any threats or promises extended to me. I fully understand that this statement is given concerning my knowledge of

(b) (6) HAD MIDNIGHT 16-17 FEB, HOLIDAY ROUTINE SUNDAY (17 FEB). TOOK DIVISION TO BREAKFAST, AND SAW MY FRIENDS, (b) (6)(b) (6) IN (b) (6) COMPARTMENT. I STOPPED TO SPEAK WITH (b) (6) SINCE (b) (6) ALSO HAD HOLIDAY ROUTINE AND ASKED IF (b) (6) WANTED ME TO WALK (b) (6) HOUSE. (b) (6) SAID YES, SO I STARTED TO CHECK RACKS. AS I FOUND MESSED UP RACKS, I WOULD STOP AND ASK RECRUITS WHAT THE CHECKPOINT SUPPOSED TO BE. MY MENTALITY WASNT TO BE A HARD ASS. ~~IT WAS~~ SINCE IT WAS HOLIDAY ROUTINE, IT WAS "LET ME TRY TO MAKE THIS FUN" INSTEAD OF BEING A HARD CORE RDC. I CAME ACROSS A RECRUIT I WAS TALKING TO AND NOTICED (b) (6) HAD AN ACCENT. CAME TO FIND OUT, I DID ASK (b) (6) "ARE YOU CHINESE?" AND (b) (6) SAID "YES". OBVIOUSLY NOT THINKING BEFORE SPEAKING, I ASKED (b) (6) IF (b) (6) KNEW WHAT A WORD MEANT. (*PHONETICALLY*) CHOW-NEE-MA. (b) (6) LOOKED AT ME WITH A FACE LIKE "I SHOULDN'T SAY THAT" AND I WAS LIKE "AHH DON'T SAY THAT." I DIDNT WANT (b) (6) TO CURSE. I FINISHED WALKING THE HOUSE, AND LET (b) (6) WHAT THE DISCREPANCIES WERE. PROBABLY TOOK ABOUT TEN MINUTES. (b) (6) SAID THANK YOU AND I HEADED BACK TO MY COMPARTMENT. (b) (6)

VOLUNTARY STATEMENT

1. PLACE

BLD 6 7117, RTC GREAT LAKES IL

2. DATE

06 MAR 19

(b) (6)
(b) (6)

(b) (6)(b) (6)

_____, make the following
free and voluntary statement to _____
whom I know to be COMMAND INVESTIGATION OFFICER

I make this statement of my own free will and without any threats or promises extended to me. I fully understand that this statement is given concerning my knowledge of

(b) (6) (b) (6) About 5 min later, (b) (6)(b) (6)(b) (6)(b) (6)(b) (6) came to my compartment and said what I said "offended my recruits." I didn't know there was another Chinese-speaking recruit, so I found that out as well. I asked (b) (6) if I could speak to them and apologize, and (b) (6) says yes. I went to (b) (6) office and (b) (6) brought the 2 recruits, and I apologized and let them know what I was saying was just to be funny, wasn't towards them, and wanted to know what word meant. I said I was speaking to them as a person, not an ROC, and I was sorry and didn't mean to offend them and I shouldn't have done that.

(b) (6)(b) (6) (b) (6) speaks Chinese and said a word changes meaning when you say it to a male or female, so I guess instead of it meaning "F you" it means "I want to _____" to a female. Then again I said "Oh my God, I'm so sorry, I had no idea." They accepted my apology and said it was offensive and I shouldn't say it again and I let them know I wouldn't. I spoke to (b) (6)(b) (6) about the incident because the ship's LCDR was out and (b) (6) the ALCD. (b) (6) (b) (6)

(b) (6)
(b) (6)
(b) (6)

WITEN APPROVING

VOLUNTARY STATEMENT

1. PLACE

BLD 6 717, Rte 6 GREAT LAKES IL

2. DATE

06 MAR 19

(b) (6)(b) (6)

, make the following

free and voluntary statement to (b) (6)(b) (6) (b) (6)

whom I know to be Command INVESTIGATING OFFICER

I make this statement of my own free will and without any threats or promises extended to me. I fully

understand that this statement is given concerning my knowledge of

(b) (6) DID YOU KNOW WHAT THE WORD MEANT WHEN YOU ASKED? / CONTEXT
(b) (6) I THOUGHT I DID.

(b) (6) WHY DID YOU SAY A DEROGATORY TERM TO A SR?

(b) (6) I WASN'T SAYING IT DIRECTLY TO (b) (6) JUST SEEING WHAT IT MEANT, NOT
(b) (6) LIKE "HEY, YOU." WHEN IT BOILS DOWN, I JUST WASN'T THINKING. I LOSTTHE MINDSET OF AN RDC IN THAT MOMENT AND DID SOMETHING STUPID.
(DUE TO WORK DAY BEFORE, INQUIRY, LACK OF SLEEP, NOT THINKING BEFORE
SPEAKING.)

(b) (6) ANY DISCIPLINARY EVENTS WHILE AT RDC?

(b) (6) NO. I WAS ACTUALLY RDC OF THE MONTH.

(b) (6) ANY CONTACT W/ RECRUITS SINCE EVENT?

(b) (6) NO.

(b) (6) WHERE ARE YOU CURRENTLY LOCATED? WHEN DO YOU START YOUR NEXT ASST?

(b) (6) SHIP 13. I DON'T KNOW.

(b) (6) WHEN DID YOU LEARN THE CHINESE WORDS?

(b) (6) FRIEND IN THE FLEET ON MY FIRST SHIP. HE WAS FROM CHINA.

(b) (6) HAS ANYONE ELSE SPOKE TO YOU ABOUT THE INCIDENT? SHIP OFFICER

(b) (6) FORMAL COUNSELING BY (b) (6)(h) (6)

(b) (6) THE SHIPS LCPO HANCS (b) (6) SAT DOWN WITH DCS AND
HANS NOTIFIED FLT LCPO (b) (6) SHIPS OFFICER WAS NOT THERE.

(b) (6) ANYTHING ELSE YOU'D LIKE TO ADD?

(b) (6) NO, I TOLD EVERYTHING. I'M JUST SORRY (b) (6)

VOLUNTARY STATEMENT

1. PLACE

BDB 717, RTC GREAT LAKES IL

2. DATE

06 MAR 19

(b) (6)(b) (6)

_____ make the following
free and voluntary statement to _____

whom I know to be COMMAND INVESTIGATING OFFICER

I make this statement of my own free will and without any threats or promises extended to me. I fully understand that this statement is given concerning my knowledge of (b) (6) IT WAS A SUNDAY MORNING, THIS MALE RDC WALKED IN OUR COMPARTMENT, HE SAW ME AND CALL ME THEN STARTED ASK ME QUESTIONS.

"ARE A YOU CHINESE?" HE ASKED.

"YES, PETTY OFFICER." I SAID.

"ARE YOU FROM CHINA?" HE ASKED.

"YES, PETTY OFFICER." I SAID.

"YOU SPEAK MANDARIN?" HE ASKED.

"YES, PETTY OFFICER." I SAID.

"I HAVE LEARNED A NEW WORD, CAN YOU TRANSLATE FOR ME?" HE ASKED.

"YES, PETTY OFFICER." I SAID.

THEN, HE SAID "FUCK YOUR MOM" IN CHINESE.

I REALIZED RIGHT AWAY, BECAUSE THE PRONOUNCEMENT IS CORRECT. I WAS FROZEN ON THE DECK. I DON'T KNOW HOW TO RESPONSE, I WAS TOTALLY FREAKING OUT. HE WALKED IN BETWEEN TWO RACKS THREATENED ME "DON'T YOU DARE SPEAK THIS OUT!" HE REPEATED FOR AT LEAST THREE TIMES. I BELIEVE HE KNEW WHAT IT IS, HE JUST WANTED TO MAKE FUN OF ME, HE GOT SMILING FACE ALL THROUGH THE ENTIRE CONVERSATION. HE FELT I HAVE QUIET, ASK ME IF I FELT OFFENSIVE. NO DOUBT IT IS EXTREMELY OFFENSIVE. WE JUST MET, I DON'T KNOW WHO YOU ARE, HE THE WORDS HE ASKED ME TO TRANSFER IS SUPER DISRESPECTFUL TO FEMALE IN OUR CULTURE. WE NEVER SAY THIS TO FEMALES, IT IS NOT JUST A SIMPLE MIDDLE FINGER, EVERY SINGLE CHARACTERS STAND FOR SOMETHING. IT IS THE LAST WORST WORDS YOU SAY TO ANOTHER PERSON WHO SPEAK MANDARIN. HE WALKED AWAY, I FELT HURTING, AND I WENT TO SEE (b) (6) (b) (6) (b) (6) ABOUT WHAT JUST HAPPENED, BECAUSE THIS WORDS ~~ARE~~ MEANS YOU DID OR YOU DO OR YOU ARE DOING ACCORDING DIFFERENT SITUATION.

RIGHT NEXT DAY, I GOT A VERY BAD COLD, I WENT TO MEDICAL TWICE IN A WEEK.

(b) (6)

^{COULD}
(b) (6) COUGHING, CONGESTION KEPT ME STAY UP WHOLE NIGHT, COULD NOT SLEEP. IT TOOK
(b) (6) ME 7 - 9 DAYS TO RECOVER AND HAD TO SUFFER ~~PHYSICALLY~~ PHYSICAL ACTIVITIES
FROM MY ILLNESS.

SINCE I DECIDED TO JOIN THE NAVY, I AM READY TO DEFEND FOR THE COUNTRY. I
TRULY HOPE ~~THAT~~ THERE IS NO DISCRIMINATION AND RACISM IN NAVY BECAUSE WE
ARE SHIPMATES, WE WILL FORWARD TO BATTLE FIELD TOGETHER. HOW DO I TEAMWORK
WITH SHIPMATES LIKE THIS? MY FATHER TOLD ME I AM A (b) (6), AN (b) (6) (b) (6)
NEED TO WORK HARDER THAN SOMEONE ELSE TO EARN THE RESPECT. SO HERE I
AM!

I STILL DID NOT TELL MY FAMILY YET. I DON'T KNOW HOW TO TELL THEM, I DON'T
WANT THEM TO WORRY ABOUT ME. (b) (6)

HE DID APOLOGIZED TO ME AFTER (b) (6) (b) (6) (b) (6) SPOKE TO ME. BUT HE
WAS SITTING ON CHAIR WITH ONE LEG ON ~~AT~~ HIS KNEE ~~AT~~ WITHOUT EVEN A LITTLE BIT
RESPECT, SAID SORRY AND THREW ME A "REASON" JUST HE SAID THAT WITHOUT THINKING,
LIKE PEOPLE USUALLY DO, BUT APPARENTLY HE KNEW WHAT ~~IT~~ IT IS AND MADE FUN
OF ME. (b) (6)

VOLUNTARY STATEMENT

1. PLACE

BUDG 7117, ALC GREAT LAKES IL

2. DATE

06 MAR 19

I, (b) (6), make the followingfree and voluntary statement to (b) (6)(b) (6)(b) (6),whom I know to be COMMAND INTERVIEWING OFFICER.

I make this statement of my own free will and without any threats or promises extended to me. I fully

(b) (6) understand that this statement is given (b) (6) concerning my knowledge of
 (b) (6) DID YOU FEEL AS IF (b) (6) SINGLE'D YOU OUT OR DO YOU FEEL AS THIS WAS IN ANY
 (b) (6) WAY RACIALLY MOTIVATED? IF SO, HOW?
 (b) (6) YES, (b) (6) OBVIOUSLY KNOW WHAT IT MEANS. (b) (6) WAS TRYING TO MAKE FUN OF ME.

(b) (6) DID (b) (6) APOLOGIZE? IF SO, HOW WAS IT PRESENTED TO YOU?
 (b) (6) DID. STILL SMILING, FOOT UP, VERY RELAXED AND NOT SERIOUS AT ALL.
 (b) (6) HAS THIS EFFECTED YOUR TRAINING AT ALL?
 (b) (6) YES MA'AM.

(b) (6) HAVE YOU HAD ANY FURTHER CONTACT WITH (b) (6)(b) (6)?
 (b) (6) NO MA'AM, I DIDN'T EVEN KNOW WHO (b) (6) WAS WHEN (b) (6) WALKED THROUGH
 (b) (6) OUR COMPARTMENT.

(b) (6) HAS ANYONE IN YOUR COC. SPOKE TO YOU ABOUT THIS INCIDENT?
 (b) (6) YES MA'AM. MY FIRST POC (b) (6)(b) (6)(b) (6) AND (b) (6)(b) (6) (b) (6)
 AND A SENIOR CHIEF BUT I DON'T KNOW HIS NAME.

(b) (6) DO YOU HAVE ANY FURTHER QUESTIONS OR ADDITIONAL INFORMATION?
 (b) (6) I DON'T KNOW.

(b) (6) HAVE YOU EVER HAD CONTACT OR BEEN APPROACHED BY (b) (6)(b) (6) BEFORE
 THIS EVENT?

(b) (6) NO. (b) (6)
 (b) (6)

VOLUNTARY STATEMENT

1. PLACE

BL06 7117, RTC GREAT LAKES

2. DATE

13 MAR 19

(b) (6) (b) (6) (b) (6) (b) (6), make the following
free and voluntary statement to (b) (6) (b) (6),
whom I know to be CIO

I make this statement of my own free will and without any threats or promises extended to me. I fully understand that this statement is given concerning my knowledge of (b) (6)

TO TWO RECRUITS TALKED TO ME IN PRIVATE AND REPORTED THAT A (b) (6) PETTY OFFICER SAID "FUCK YOU" TO THEM IN CHINESE AND THAT THEY FELT THREATENED AND AFRAID. I THEN WENT TO BM2'S COMPARTMENT TO INFORM (b) (6) OF THE SITUATION, AND (b) (6) VOLUNTARILY WENT TO MY OFFICE TO APOLOGIZE TO (b) (6) AND (b) (6). THE RECRUITS WERE STILL UPSET AND SAID THAT WHAT (b) (6) SAID IN CHINESE WAS NOT APPROPRIATE, ESPECIALLY TO (b) (6). AFTER BM2 LEFT I CALLED THE (b) (6) BACK TO MY OFFICE TO CLARIFY WHAT BM2 SAID. THEY SAID (b) (6) SAID "CHAO NI MA" WHICH, IN THEIR CULTURE, MEANS "I'M GOING TO FUCK YOU," AND THAT IT IS SEXUAL HARASSMENT. I WENT BACK TO (b) (6) TO TELL (b) (6) WHAT (b) (6) ACTUALLY SAID, AND (b) (6) SAID (b) (6) DEFINITELY DIDN'T MEAN THAT, (b) (6) THOUGHT IT MEANT "FUCK YOU" LIKE WE MEAN IT HERE IN AMERICA, AND THAT (b) (6) LEARNED IT FROM A FELLOW SAILOR WHO WAS CHINESE. AFTER THAT, I INFORMED MY LEAD, (b) (6) (b) (6) WHAT HAPPENED, AND IT WAS TAKEN UP FROM THERE. (b) (6) (b) (6)

(b) (6)

VOLUNTARY STATEMENT

1. PLACE

BLO 6 7117, PTC GREAT LAKES

2. DATE

13 MAR 19

(b) (6) (b) (6)(b) (6) (b) (6)(b) (6), make the following
 (b) (6) voluntary statement to (b) (6)(b) (6),
 whom I know to be CID

I make this statement of my own free will and without any threats or promises extended to me. I fully
 understand that this statement is given concerning my knowledge of

(b) (6) HOW IS THE CLIMATE IN YOUR DIVISION?
 (b) (6) NOT MY BEST DIVISION, BUT PRETTY NORMAL. SEEM TO HAVE A GOOD BALANCE OF PEOPLE IN IT.
 (b) (6) HAVE YOU EVER LET (b) (6) WALK YOUR HOUSE OR TRAIN YOUR RECRUITS
 BEFORE THIS EVENT? IF SO, HAVE THERE EVER BEEN PROBLEMS IN THE PAST?
 (b) (6) I'M PRETTY SURE (b) (6) WALKED IN (b) (6) HOUSE BEFORE THIS EVENT, BUT HEARD ANYTHING? NO.
 (b) (6) NO, I TOLD (b) (6)(b) (6)(b) (6)(b) (6)(b) (6) ABOUT AN EVENT IN DECEMBER BEFORE. THERE WAS A FEMALE
 RECRUIT IN THE DIVISION'S OFFICE THAT (b) (6) WAS REALLY FAMILIAR WITH AND FRIENDLY. A FEMALE RECRUIT
 IF THE (b) (6) RECRUIT FELT "SEXUALLY HARASSED" AND WANTED TO TALK TO SAPR. SHE SAID
 SHE SPARKEDLY WANTED TO TALK TO SAPR UNTIL FINALLY SAID WAS KIDDING.
 THE MALE RECRUIT WANTED TO FILE A COMPLAINT BECAUSE (b) (6) THOUGHT WE WERE
 MAKING FUN OF SAPR.
 (b) (6) DID YOU INVITE (b) (6)(b) (6) TO WALK YOUR HOUSE THAT DAY? DID (b) (6) OFFER?
 (b) (6) NO, (b) (6) WAS JUST WATCHING ARMS, AND I'M PRETTY SURE (b) (6) WASN'T THE
 ODD SINCE (b) (6) WAS SITTING IN (b) (6) OFFICE AFTER THE TWO FEMALE RECRUITS WALKED
 UP TO ME.

RE: ARE YOU A CHINESE SPEAKER FOR THE NAVY, OR A NATURAL SPEAKER?
 SC: CLEANED CHINESE FOR MY RATE FOR THE PAST 9 YEARS. (b) (6)
 (b) (6)

VOLUNTARY STATEMENT

1. PLACE

BLDGB 717, RMC GREAT LAKES IL

2. DATE

19 MAR 19

I, **(b) (6)(b) (6)(b) (6)**, make the following

free and voluntary statement to **(b) (6)(b) (6)(b) (6)(b) (6)**,

whom I know to be **(b) (6)** CID

(b) (6) make this statement of my own free will and without any threats or promises extended to me. I fully understand that this statement is given concerning my knowledge of

(b) (6) ON 17 FEB 19 MADE AN APPARENT INAPPROPRIATE TO A COUPLE OF RECRUITS IN DIV 165. THE LEAD RDC **(b) (6)(b) (6)(b) (6)** APPROACH ME WITH THE ISSUE AND I WENT TO THE COMPARTMENT TO SPEAK WITH THE RECRUITS WITH THE RDC PRESENT. I BASICALLY SAID TO THE RECRUITS THAT WE WILL LOOK INTO THE ISSUE AND INFO THE CHAIN OF COMMAND TO ENSURE THIS DOES NOT HAPPEN. I IN THE ABSENCE OF THE SHIP'S LCPU COUNSELED **(b) (6)(b) (6)** AND LET **(b) (6)** KNOW THAT WHAT **(b) (6)** ASKED THE RECRUITS WERE INAPPROPRIATE AND LET **(b) (6)** KNOW THAT I MUST FOLLOW THROUGH AND REPORT THIS TO THE CHAIN OF COMMAND. BEFORE I SPOKE TO **(b) (6)(b) (6)**, **(b) (6)(b) (6)** TOLD ME THAT **(b) (6)** APOLOGIZED TO THE RECRUITS FOR USING INAPPROPRIATE LANGUAGE. ON THE MORNING OF THE 18 FEB I NOTIFIED THE SHIP'S LCPU ON WHAT HAD OCCURRED WITH THE INCIDENT. AFTER OUR CONVERSATION, NOTHING ELSE WAS SAID TO ME ABOUT THE ISSUE. I KNOW THAT BMZ WAS IMMEDIATELY REMOVED AND PLACED IN SHIP 13 UNTIL THE FINAL DISPOSITION OF THIS CASE. **(b) (6)**

VOLUNTARY STATEMENT

BLD 67117, RTC GREAT LAKES 11

19 MAR 19

free and voluntary statement to (b) (6)(b) (6)(b) (6)(b) (6),

(b) (6) I make this statement of my own free will and without any threats or promises extended to me. I fully

RM: HAVE YOU WORKED WITH (b) (6) (b) (6) BEFORE? IF YES, HAS (b) (6) (b) (6) EVER EXHIBITED THIS BEHAVIOR BEFORE?

(b) (6) DO YOU THINK THIS WAS RACIALLY OR SEXUALLY MOTIVATED? (b) (6) PART?
(b) (6) ABSOLUTELY NOT. (b) (6) GOT A LITTLE DAUGHTER, I DON'T THINK THAT'S (b) (6)
(b) (6) ANYTHING ELSE HE SHOULD KNOW FOR THIS ALLEGATION? (b) (6)
(b) (6) NOT THAT I KNOW OF. (b) (6)

VOLUNTARY STATEMENT

1. PLACE

BLO6 7117, RTC GREAT LAKES IL

2. DATE

19 MAR 19

(b) (6) I, (b) (6)(b) (6)(b) (6), make the following
free and voluntary statement to (b) (6)(b) (6)(b) (6),
whom I know to be (b) (6) CID.

I make this statement of my own free will and without any threats or promises extended to me. I fully understand that this statement is given concerning my knowledge of:

APPROX 1300-1400 AFTER HOLIDAY ROUTINE I WAS NOTIFIED (BY (b) (6)(b) (6))
OF A INTERACTION FROM A SHIP IT STAFF MEMBER AND ONE OF
MY RECRUITS IN THE DIVISION. I WAS TOLD (b) (6) SAID SOMETHING
IN MANDARIN NOT KNOWING WHAT IT MEANT AND IT OFFENDED
THAT RECRUIT AND THE OTHER CHINESE RECRUIT. ONCE IT WAS
TRANSLATED TO THE (b) (6) REALIZED IT WAS UNCALLED FOR. I
SPOKE WITH (b) (6)(b) (6)(b) (6) ABOUT THE SITUATION AND
IT WENT UP THE CHAIN OF COMMAND FROM THERE. (b) (6)

VOLUNTARY STATEMENT

1. PLACE

BLD 6 7117 AC GREAT LAKES IL

2. DATE

19 MAR 19

I, **(b) (6)(b) (6)**, make the following

free and voluntary statement to **(b) (6)(b) (6)(b) (6)(b) (6)**,

whom I know to be CID.

I make this statement of my own free will and without any threats or promises extended to me. I fully understand that this statement is given concerning my knowledge of

(b) (6) DID YOU INVITE **(b) (6)(b) (6)** TO WALK YOUR HOUSE OR TRAIN YOUR RECRUITS
(b) (6) ANY TIME?

(b) (6) I NEVER SPECIFICALLY TOLD **(b) (6)** TO, BUT PERRY MILITARY STAFF MEMBERS CAN
WALK YOUR HOUSE AT ANY TIMES, AND AS YOU'RE SUPPOSED TO WALK ROUNDS.

(b) (6) HAVE YOU EVER SEEN **(b) (6)(b) (6)** BEHAVE IN THIS MANNER BEFORE?

(b) (6) I HEARD OF AN INCIDENT THAT HAPPENED THAT I WAS TOLD WAS LOST IN
TRANSLATION BUT IN PERRY INTO SPEAK ENOUGH. **(b) (6)** SAID SOMETHING ABOUT
AN ANALOGY OF THE CRIMINALS OF WOMEN AND HOW THEY'RE PERSECUTED
AT SECOND-CLASS CITIZENS. NOT IN CONTEMPORARY AMERICA, BUT IN THE HIGGINS
MOVEMENT, I'M REALLY SURE IS WHAT **(b) (6)** WAS TRYING TO SAY. BUT **(b) (6)**
DID OFFEND TWO RECRUITS IN MY LAST DIVISION.

(b) (6) WERE THEY FEMALE OR MALE?

(b) (6) BOTH FEMALE, BUT THEY'RE NOT HOLE, THEY'RE THEREIN IN THE ARCADE.

(b) (6) DO YOU HAVE ANY OTHER CASE YOU BELIEVE WOULD BE USEFUL TO THIS INVESTIGATION?

(b) (6) JUST NEEDS TO WATCH WHAT **(b) (6)** SAYS. I THINK **(b) (6)** MEANS WELL, HE
JUST DIDN'T THINK BEFORE **(b) (6)** SPEAKS UPON IT HAPPENS. **(b) (6)**

(b) (6)(b) (6)(b) (6)(b) (6) USN COMNAVSURFLANT (USA)

From: (b) (6)(b) (6) <(b) (6)(b) (6)(b) (6)>
Sent: Friday, March 22, 2019 1:43 PM
To: (b) (6)(b) (6)(b) (6) USN COMNAVSURFLANT (USA)
Subject: [Non-DoD Source] Re: Command Investigation

Good morning

(b) (6) the situation is simple. (b) (6)(b) (6) said something very bad in Chinese to (b) (6) and both me and feel insult and uncomfortable about that. I think the sentence (b) (6) said was racism, discrimination and sexual harassment. We report this because we've been told to speak out about this kind of situation. We understand that may be a culture difference and we accepted (b) (6) apology.
We really appreciate that the Navy took this seriously and thank you for the following up:

Have a good day.

(b) (6)

On Fri, Mar 22, 2019 at 10:14 AM (b) (6)(b) (6)(b) (6)(b) (6) USN COMNAVSURFLANT (USA) <(b) (6)(b) (6)(b) (6)(b) (6)>
<mailto:(b) (6)(b) (6)(b) (6)(b) (6)> wrote:

Good morning!

My name is (b) (6)(b) (6)(b) (6) and I am currently investigating an event that may have taken place on 17FEB219 between (b) (6)(b) (6) (b) (6) and yourself. If possible, it would be greatly beneficial to the investigation if I could get a statement from you detailing the event as a witness. You are not obligated under law to answer this email or the voicemail I left on 22MAR2019 at approximately 1212 CST, but it would be much appreciated if you did.

If you choose to submit a statement, a simple response to this email would be more than enough. The email should simply detail the events that took place that Sunday, 17FEB2019, and any pertinent information you think the command may need.

Thank you very much for your time and consideration. If you have any questions, please feel free to reach out. My contact information is listed at the bottom of this email. Have a safe and happy weekend!

Very Respectfully,

(b) (6)(b) (6)(b) (6) USN

(b) (6)(b) (6)(b) (6)(b) (6)(b) (6)

VOLUNTARY STATEMENT

1. PLACE

Rd 6 7117, R/C GREAT LAKES IL

2. DATE

22 MAR 19

(b) (6) I, (b) (6), make the following free and voluntary statement to (b) (6)(b) (6)(b) (6), whom I know to be CIO.

I make this statement of my own free will and without any threats or promises extended to me. I fully understand that this statement is given concerning my knowledge of

on Feb 17th I was doing holiday routine for my division (1165) and (b) (6)(b) (6)(b) (6) came into the (b) (6) house and walked it as a courtesy since it was my first time doing routine alone. As I was walking into my office to get something (b) (6)(b) (6) (b) (6) asked & said to (b) (6) (b) (6) " (b) (6)? is that chinese?" (b) (6) then said "yes petty officer." then (b) (6) asked (b) (6) "Are you from China?" and (b) (6) replied "yes." - then I walked into the office and heard no more of the conversation. It wasn't long though and seemed completely harmless. (b) (6)

VOLUNTARY STATEMENT

1. PLACE

Bldg 7117 RTC GREAT LAKE IL

2. DATE

22 MAR 19

(b) (6) (b) (6), make the following
 free and voluntary statement to (b) (6)(b) (6)(b) (6),
 whom I know to be CID

I make this statement of my own free will and without any threats or promises extended to me. I fully
 understand that this statement is given concerning my knowledge of

(b) (6) DID (b) (6)(b) (6) ASK YOU ON 17 FEB 19 IF (b) (6) COULD WALK YOUR
 HOUSE?

CO: NO, IT WASN'T LIKE THAT. IF I REMEMBER CORRECTLY, IT WAS MORE LIKE
 (b) (6) SAID "I NEED TO STAY AWAKE AND DO SHIT."

(b) (6) HAD (b) (6)(b) (6) WALKED YOUR HOUSE BEFORE THIS? IF SO, DID (b) (6) EVER
 STOP TO SPEAK TO ANOTHER RECRUIT ABOUT THEIR ETHNICITY OR DISCUSS
 THINGS OUTSIDE OF RED BOOK/TRAINING? IF NOT, DID (b) (6) TALK TO RECRUITS?

(b) (6) NO, I DON'T THINK SO. (b) (6) BEEN IN TO SAY HELLO TO ME. WE WENT TO
 "C" SCHOOL TOGETHER. NO.

TR: HAVE YOU EVER HEARD (b) (6) TALK ABOUT WOMEN OR MINORITIES IN A NEGATIVE
 MANNER?

CO: NO

RE: DO YOU HAVE ANY INFORMATION THAT YOU MAY FIND USEFUL IN THIS INVESTIGATION?

CO: I HEARD FROM (b) (6) (b) (6) ABOUT AN INCIDENT THAT OCCURRED
 TO (b) (6) ONE DAY WHEN THEY WERE IN WATCH TOGETHER, BUT I BELIEVE
 THAT WAS HANDLED (b) (6) A JOKSTER, SOMETIMES (b) (6) JUST SAYS THINGS WITHOUT
 THINKING ABOUT THEM; BUT, I DON'T THINK (b) (6) RACIST OR SEXIST AT ALL.

(b) (6)

CMC DISCIPLINARY REVIEW NOTES

Accused: (b) (6)(b) (6)(b) (6)

Date of Disciplinary Review: 3 APR 19

ACC: Acknowledged being fully advised of Legal rights

ACC: Understands statement and understands rights

☒ Yes ☐ No

(b) (6) Do you understand what you did was wrong.

(b) (6) Yes.

(b) (6) Master Chief Review Board recommended removing your rope. You have lost the right to wear your rope until after the review is complete.

(b) (6) : (Removes Rope)

(b) (6) Do not discuss this case with anyone outside your direct C.O.C. and Legal. Do you understand?

(b) (6) : Yes.

(b) (6) You will work somewhere on base until after the decision is made by the board. We cannot have this type of behavior. Do you understand?

(b) (6) : Yes.

(b) (6) : Dismissed.